

## IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 08-0499

ORIGINAL

STATE OF MONTANA,

Plaintiff and Appellee,

v.

DAVID W. GUNDERSON,

Defendant and Appellant.

FILED

FEB 12 2010

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA**MOTION FOR EXTENSION OF TIME**

COMES NOW, Joslyn Hunt, Chief Appellate Defender, and respectfully requests an extension of time until February 26, 2010, in which to prepare, file, and serve the Appellant's reply brief in the above-entitled matter. This is Appellant's first extension request for the reply brief. Opposing counsel has been contacted concerning this motion and does not object.

DATED this 12<sup>th</sup> day of February, 2010.

OFFICE OF THE STATE PUBLIC DEFENDER  
Appellate Defender Office  
139 N. Last Chance Gulch  
P.O. Box 200145  
Helena, MT 59620-0145

By: *Joslyn Hunt*  
JOSLYN HUNT  
Chief Appellate Defender

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and accurate copy of the foregoing

Motion for Extension of Time to be mailed to:

STEVE BULLOCK  
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DAVID W. GUNDERSON 11820  
Great Falls Regional Prison  
3800 Ulm North Frontage Road  
Great Falls, MT 59404

DATED: \_\_\_\_\_

2/12/10

A handwritten signature in black ink, appearing to read "David W. Gunderson", written over a horizontal line.